

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

8

TITLE OF CASE		ATTORNEYS				
Continental Oil Company, a corporation vs Braniff Airways, Inc., a corporation and United States Aviation Underwriters, Inc., a corporation Aetna Casualty & Surety Company, Additional Party Defendant		For plaintiff: A. M. Covington 585-5537 217 Pythian Building Tulsa, Oklahoma 74103  For defendant: Watts, Looney, Nichols & Johnson 300 Lawyers Building-219 Couch Drive Oklahoma City, Oklahoma 73102 235-7641				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 6-1-71	Clerk	5-7-71	Covington	15 00		
		5-13-71	C.D.No.50		n 15 00	
		7/27/73	C.Watts	5.00		
J.S. 6 mailed 7-1-73	Marshal	8-2-73	C.D.No.1		5 00	
Basis of Action: Declaratory Judgment	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-7-71	Complaint, filed. Summons issued. m	
5-25-71	Summons, returned & filed: served Braniff by serving Corporation Company at Ok. City, (\$4.00); State Ins. Commr. at Ok. City, 5-11-71 (USM \$7.00) for U. S. Aviation Underwriters, Inc. g	
6-1-71	Answer of Defendants filed. ds	
6-11-71	Amendment to answer, filed. g	
6-18-71	Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) v	
6-17-71	Pltf's motion to bring in additional party deft., filed. m	
6-23-71	Ordered by the Court that filing of brief in support of above motion is waived. (AEB-J)m	
6-24-71	Order that pltf. is authorized to file amendment to complaint naming Aetna Casualty & Surety Company as additional party deft, filed. (AEB-J)m	
6-24-71	Amendment to complaint, filed. Summons issued to Aetna Casualty & Surety Company. m	
7-6-71	Summons, ret. & filed: served State Ins. Commissioner at O.C., on 6-30-71 (USM \$4.72 - \$3.00 to Ins. Com.)g	
7-6-71	Joint Motion to withhold pre-trial order, filed. v	
7-6-71	Brief in support of joint motion, filed. v	
7-12-71	Ordered by the Court that case is stricken from pre-trial docket of 7-23-71 upon request of pltf. & deft. Braniff & U.S. Aviation Underwriters. (AEB-J)m (letter written to parties)	
7-15-71	Answer of defendant, Aetna Casualty and Surety Company, filed. ds	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
1-12-72	Application for time to complete pre-trial order filed by plaintiff. h	
1-13-72	Order grantime 15 additional days for parties to prepare and furnish pre-trial order, filed. (AEB-J) cpy to counsel. g	
2-1-72	Pre-trial order, filed. (AEB-J) rm	
2-10-72	Pltf's motion for S/J, filed. hm	
2-10-72	Brief of plaintiff, filed. hm	
2-10-72	Ordered that defts. file responsive brief to pltf's motion for S/J within 10 days. (AEB-J)hm	
2-22-72	Defendants' response to motion for summary judgment, filed. ds	
2-22-72	Defendants' brief in support of response, filed. ds	
3-7-72	Plaintiff's reply brief to defendant's response, filed. ds	
4-19-72	Ordered that Magistrate conduct hearing on pltf's motion for S/J. (AEB-J)hm	
4-19-72	Case called for hearing on pltf's motion for S/J. Motion denied & deft. to prepare findings & recommendations within 5 days. (MLB-Mag)hm	
5-11-72	Findings and Recommendations of Magistrate, filed. Mag. finds that motion for summary judgment shall be overruled and further recommends to the court that this case should be set down for trial for hearing of evidentiary matters. (MLB-U.S. Mag.)v -copies mailed.	
6-6-72	Order, filed, approving recommendations of Mag. and overruling pltf's motion for S/J. (AEB-J)hm (copies mailed)	
9-7-72	Case set for Non/Jury trial on Thurs, Oct. 5, 1972 at 10:00 A.M. (AEB-J)h	
9-28-72	Case stricken from N/J docket of Oct. 5, 1972 to be reset at later date. (AEB-J)h	
1-26-73	Ordered by the Court that this Case is set for Non-Jury Trial on 1-6-73 at 10:00 A.M. (AEB-J)v -notices mailed.	
2-1-73	Defts' application for continuance, filed. hm (cont.)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-2-73	Ordered by the Court that defts' request for continuance from non jury docket of 2-6-73 is denied. (AEB-J)hm (letter written)	
2-2-73	Trial brief of plaintiff, filed. hm	
2-6-73	Case called for non-jury trial. Parties present and reprsented. Case stricken pending briefing. Parties directed to file stipulation of facts; plaintiffs granted 20 days to file brief; defendant 20 days to respond. (AEB-J)h	
2-16-73	Stipulation of parties filed. Case dismissed as to Aetna Casualty and Ins. Co. and as to Braniff. ds	
2-16-73	Stipulation filed. r	
3-9-73	Brief of Continental Oil Company, filed.	
4-19-73	Response brief of U. S. Aviation Underwriters, Inc. filed. ds	
4-23-73	Reply brief of Continental Oil Company, filed. ds	
6-20-73	Ordered by the Court that parties filed Suggested F/F & C/L within 5 days. (AEB-J)hm (letter written)	
6-26-73	Proposed F/F and C/L of Plaintiff, filed. hm	
6-26-73	Defendant's suggested F/F and C/L, filed. hm	
6-28-73	Findings of Fact and Conclusions of Law, filed. (AEB-J)hm (copies mailed)	
6-28-73	Order dismissing complaint and cause of action as to Braniff Airways, Inc and Aetna Casualty and Surety Company, filed (AEB-J)hm (copies mailed)	
6-28-73	Judgment, filed and entered, that judgment is entered in favor of the pltf. Continental Oil Company and against the deft. United States Aviation Underwriters, Inc. in sum of \$17,935.45 with int. at rate of 6% per annum from 3-15-72 to date of judgment and 10% per annum thereafter until paid, and costs. (AEB-J)hm (copies mailed)	
7-9-73	Statement of costs and expenses of trial by plaintiff, filed, and taxing of costs set before Clerk on 7-20-73 at 10:30 a.m. hm	
7-20-73	Costs in amt. of \$501.50 taxed and included in judgment. (JCS-Clk)rm	
7-27-73	Notice of appeal by def. US Aviation, filed. rm (copies to USCA & counsel)	
7-27-73	Supersedeas Bond in amt. of \$22,000, filed. rm	
9-5-73	Transcript of proceedings held on 4/19/72 before Magistrate Bradford, filed. (M.Ballard, CR) rm	
9-5-73	Appeal record (two volumes) to USCA. rm	
8-12-74	Mandate & Opinion of USCA affirming judgment of 6-28-73, filed and spread of record. g	
8-16-74	Appeal record (2 vols.) received from USCA. rm	
8-22-74	Costs in Appeal Court, filed, in the amt. of \$208.52. jj	
11-5-74	Release & satisfaction of judgment, filed. g	

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